



U.S. Department
of Transportation

**Research and
Special Programs
Administration**

400 Seventh Street, S.W.
Washington, D.C. 20590

AUG 3 1 1998

Mr. Prabhu Natarajan
Manager, Hazardous Materials
Sea-Land Services, Inc.
6000 Carnegie Boulevard
Charlotte, NC 28209-4637

Ref. No. 98-0223

Dear Mr. Natarajan:

This is in response to your July 13, 1998 letter regarding the use of specific languages in preparing dangerous goods declarations or container packing certificates under the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180). Specifically, you ask whether it is permissible to accept non-English shipping documents for hazardous material shipments in the USA when such shipments are prepared under the International Maritime Dangerous Goods (IMDG) Code.

The answer is no. Under the HMR, with certain exceptions, if all or part of the transportation is by vessel, a hazardous material which is classed, packaged, marked, labeled, placarded and described in accordance with the requirements of the IMDG Code may be offered and accepted and transported in the United States (see 49 CFR 171.12(b)). In § 171.7(a)(3), "Table of material incorporated by reference" of the HMR, the English edition of the IMDG Code is incorporated by reference. Therefore, if hazardous materials shipments are made in accordance with the IMDG Code (as authorized in § 171.12(b)), the hazardous material shipping description, the shipper's certification (declaration) and the container packing certification must be in English.

I hope this satisfies your request.

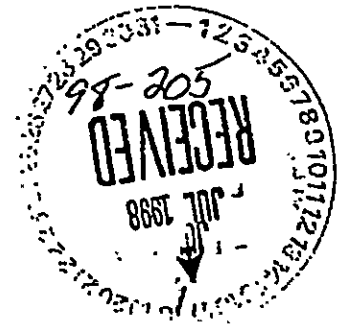
Sincerely,

Delmer F. Billings
Chief, Standards Development
Office of Hazardous Materials Standards

SeaLand

Sea-Land Service, Inc.
6000 Carnegie Boulevard
Charlotte, NC 28209-4637
(704) 571-2000

Betts
§ 172.201



July 13, 1998

Mr. Bryan Robinson
Commandant (G-MOS-3)
U. S. Coast Guard
2100 Second Street SW
Washington, DC 20593-0001

Dear Mr. Robinson:

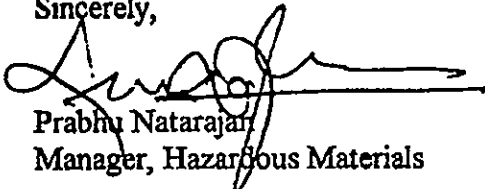
It was a pleasure to talk to you on the phone about clarification to the use of 49CFR/IMDG with respect to international transportation of hazardous materials. We look forward to working with you and your office in the future.

Our question is in reference to the use of IMDG in the USA and its territories, as allowed by section 171.12 of the 49CFR. The IMDG does not recommend or prohibit the usage of specific languages in preparing dangerous goods declarations or container packing certificates. The 49CFR authorizes shipments of hazardous materials prepared under the IMDG code to be shipped in the USA subject to the requirements and limitations imposed by 49CFR section 171.12. These requirements do not mandate the use of English language in the preparation of the shipper's declaration or the container packing certificate. Based on this information, we conclude that it is legally possible to accept non-English shipping documents for hazardous shipments in the USA when such shipments are prepared under the IMDG code. We request the opinion/ruling of your office in light of the above.

We do realize that section 172.201(a)(2) requires the use of English language in preparing shipping papers for shipments prepared under the 49CFR regulations.

We look forward to receiving your earliest response.

Sincerely,


Prabhu Natarajan
Manager, Hazardous Materials

PN/rgm

U.S. Department
of Transportation

United States
Coast Guard



Commandant
United States Coast Guard

2100 Second Street, SW
Washington, DC 20593-0001
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DRAFT

16703/49-171
August 10, 1998

Sea-Land Services, Inc.
ATTN: Mr. Prabhu Natarajan
6000 Carnegie Boulevard
Charlotte, NC 28209-4637

Subj: DOCUMENTATION

Dear Mr. Natarajan:

In response to your letter of July 13, 1998, concerning the use of specific languages in preparing dangerous goods declarations or container packing certificates, the following guidance is provided.

The provisions contained in Title 49 *Code of Federal Regulations* (CFR) section 171.12(b) authorize the use of the *International Maritime Dangerous Goods* (IMDG) *Code* within the United States subject to certain conditions and limitations. The IMDG Code is published in several languages and accordingly does not limit the preparation of documentation to a single language. While use of the English language is obviously preferred, when the IMDG Code is being utilized in the United States in conformance with 49 CFR 171.12(b), the shipper's declaration and the container packing certification may be in a language other than English.

If you have any further questions regarding this matter, please contact Mr. Brian Robinson of my staff at (202) 267-0018.

Sincerely,

R. F. CORBIN
Commander, U.S. Coast Guard
Chief, Hazardous Materials Standards Division
By direction of the Commandant

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